

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management
August 2014

Project Lead: Ryan Leary

Field Office: Sierra Front Field Office

Lead Office: Sierra Front Field Office

Case File/Project Number: N/A

NEPA Number: DOI-BLM-NV-C020-2014-0034-DNA

Project Name: Temporary Water Hauls on the Plumas Station Grazing Allotment

Applicant Name: Tracy Clark, Clark Family Trust

Project Location (County, Township/Range/Section[s]): T22N, R17E, Sec. 25 Lassen County, California

Is the project located within preliminary priority habitat for sage-grouse? ☐ Yes ☒ No

Is the project located within preliminary general habitat for sage-grouse? ☐ Yes ☒ No

Is the project located within proposed critical habitat for Bi-State sage-grouse? ☐ Yes ☒ No

Is the project located within proposed critical habitat for Webber's Ivesia? ☐ Yes ☒ No

Does the project include new surface disturbing activities? ☒ Yes ☐ No

A. Describe the Proposed Action and any applicable mitigation measures:

Place water haul site including a complex of up to four troughs in powerline transmission corridor to better distribute livestock in the Plumas Station Grazing Allotment. The complex would be placed in a previously disturbed area, and remain in place for the duration of the drought.

B. Land Use Plan (LUP) Conformance:

The Proposed Action is in conformance within the applicable LUP because it is specifically provided for in the following LUP sections:

Consolidated Resource Management Plan (May 2001): LSG - 1

- Maintain or improve the condition of the public rangelands to enhance productivity for all rangeland and watershed values;
- Provide adequate, high quality forage for livestock by improving rangeland condition;
- Maintain a sufficient quality and diversity of habitat and forage for livestock, wildlife, and wild horses through natural regeneration and/or vegetation manipulation methods;
- Improve the vegetation resource and range condition by providing for the physiological needs of the key plant species; and
- Reduce soil erosion and enhance watershed values by increasing ground cover and litter.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action:

Carson City District (CCD) Drought Management Environmental Assessment (Drought EA) (DOI-BLM-NV-C000-2013-0001-EA). The Finding of No Significant Impact statement was dated July 2, 2013.

D. NEPA Adequacy Criteria

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in existing NEPA document(s)? If the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The Proposed Action is to implement, Drought Response Actions (DRA) described in the CCD Drought Management Plan (Appendix 3 of the CCD Drought EA) "I. Temporary Water Hauls."

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Yes, the current environmental concerns, interests and resource values are the same as analyzed in the CCD Drought EA. Temporary water hauls for the duration of the drought plus one growing season to allow for resource protection are one of the DRAs described in the CDD Drought Management Plan (Appendix 3 of the CCD Drought EA) and analyzed in CCD Drought EA (page 10). The range of alternatives analyzed in the existing NEPA document for responding to drought conditions remains appropriate with respect to the current Proposed Action.

Since the completion of CCD Drought EA in 2013, there are no new environmental concerns, interests, resource values or circumstances that have been introduced that would require additional analysis to be conducted in the area.

3. Is the existing analysis valid in light of new information or circumstances (such as rangeland health standard assessment, recent endangered species listing, updated lists of BLM sensitive species)? Can you reasonably conclude the new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Yes. The existing analysis covers the current drought conditions that have been documented. Temporary water hauls one of the DRAs described in the Proposed Action of the CCD Drought Management Plan (Appendix 3 of the CCD Drought EA) and analyzed in the CCD Drought EA (page 10). According to the U.S. Drought Monitor, the drought is forecasted to persist across northern Nevada. Given the continuation of the drought, the BLM can reasonably conclude that new information and new circumstances would not substantially change the analysis of the potential impacts of the Proposed Action.

4. Are the direct, indirect and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document(s)?

Yes. The direct, indirect, and cumulative effects for the Proposed Action are identical to those identified in the CCD Drought EA. The CCD Drought EA sufficiently analyzed all affected resources related to implementing one or more drought response actions.

5. Are the public involvement and interagency review associated with the existing NEPA document(s) adequate for the new Proposed Action?

Yes. The public involvement and interagency review associated with CCD Drought EA is adequate for the new Proposed Action. Comments were accepted on the CCD Drought EA for a 30-day period from March 12, 2013 through April 12, 2013. Postcards mailed to 147 individuals, organizations and agencies were mailed on March 12, 2013. Emails were sent to 10 individuals, organizations and agencies, and notification of the availability of the CCD Drought EA was sent to 61 other State and federal agencies was made through the Nevada State Clearinghouse on March 14, 2013. The CCD published a news release on March 12, 2013. The CCD also posted the Dear Reader Letter and CCD Drought EA on the project website on March 12, 2013. On March 20, 2013 a BLM representative attended both the Churchill County and Mineral County Commissioners meeting and informed the Commissioners and other attendees that the CCD Drought EA was out for public review. The representative also provided five hard copies of the CCD Drought EA and 20 postcards at each of the meetings for the Commissioners and others.

All comments were reviewed, considered, and then categorized into topics when feasible. Distinct topics and comments are summarized in Appendix 7 of the CCD Drought EA. During the comment period approximately 6,950 comment letters and emails were received from numerous individuals, State agencies, and non-governmental organizations by email, fax or mail. Organizations included the Sierra Club, the Cloud Foundation, and the American Wild Horse Preservation Campaign. State agencies that commented include the Nevada Division of Water Resources, the State Historic Preservation Officer, the Nevada State Grazing Board District N-3, and the Nevada Department of Wildlife. Minor non-substantive changes were made to the EA as a result of these comment letters.

E. Persons/Agencies/BLM Staff Consulted


<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Brian Buttazoni	NEPA Compliance	BLM

Note: refer to the NEPA document(s) for a complete list of team members that participated in the preparation of the original environmental analysis or planning document(s).

Conclusion: Based on the review documented above, I have concluded that this Proposed Action conforms to the LUP and that existing NEPA document(s) fully cover the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

Does this DNA constitute as the decision document for this Proposed Action? ☒ Yes ☐ No

Decision: It is my decision to implement the Proposed Action as described in Question A. The objective of the water hauls is to improve livestock distribution in the Allotment during drought conditions.


Signature of Project Lead


Signature of NEPA Coordinator

 8/20/2014

ACTING
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Leon Thomas
Field Manager
Sierra Front Field Office

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal **must also** be filed with the Bureau of Land Management at the following address:

Leon Thomas, Sierra Front Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, electronically filed appeals will therefore not be accepted.